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Attorneys for Plaintiffs,  
CHRIS W. & JENNIFER W.

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**PORTLAND DIVISION**

CHRIS W. & JENNIFER W.

Case No. 3:22-cv-00428-HZ

Plaintiffs,

v.

**STIPULATION AND [PROPOSED]  
ORDER ALLOWING PLAINTIFF TO  
FILE FIRST AMENDED COMPLAINT**

PROVIDENCE HEALTH PLAN; STATE OF  
OREGON PUBLIC EMPLOYEES BENEFIT  
BOARD PLAN; THE INTEL  
CORPORATION HEALTH AND WELFARE  
BENEFIT PLAN; BLUE CROSS OF  
CALIFORNIA dba ANTHEM BLUE CROSS;  
and DOES 1 through 10,

Defendants.

**CERTIFICATION PURSUANT TO LR 7-1**

The undersigned, David M. Lilienstein, hereby certifies that he telephonically conferred with Nancy Pridgen, counsel for Defendants the Intel Corporation Health and Welfare Benefit Plan (“Anthem Plan”) and Blue Cross of California dba Anthem Blue Cross (“Anthem”) regarding this Motion and that Ms. Pridgen advised that neither the Anthem Plan nor Anthem opposes Plaintiff’s Motion.

**RELIEF REQUESTED**

Through their counsel, Plaintiffs Chris W. and Jennifer W. hereby move pursuant to Fed. R. Civ. Pro. 15(a)(2) for an Order granting them leave to file the proposed Second Amended Complaint, attached to this Motion as Exhibit A.

**STIPULATION**

**WHEREAS** on October 29, 2020, Plaintiffs filed their First Amended Complaint (“FAC”) in the Northern District of California. (Dkt. No. 39.)

**WHEREAS** on December 12, 2020, Defendant Providence Health Plans filed a motion to dismiss the FAC for lack of personal jurisdiction. (Dkt. No. 45.)

**WHEREAS** on August 10, 2021, Defendant’s motion to dismiss was granted (Dkt. No. 57), and the case was transferred to the District of Oregon on March 15, 2021. (Dkt. No. 61.)

**WHEREAS** Plaintiffs seek to file their Second Amended Complaint which adds as Defendants Providence Health Plan, who was previously dismissed for lack of personal jurisdiction in the Northern District of California.

**WHEREAS** Plaintiffs submit that good cause exists to grant leave to file the proposed Second Amended Complaint because the interests of justice will be served by adjudicating Plaintiffs’ causes of action against all Defendants in a single action as the claims arise out of a

common nucleus of operative facts involving healthcare benefits denials for Plaintiffs' minor child;

**WHEREAS** Plaintiffs submit that good cause exists to grant leave to file the proposed Second Amended Complaint because it will avoid duplication of judicial resources, as well as the risk of inconsistent judgments;

**WHEREAS** a copy of Plaintiffs' proposed Second Amended Complaint is attached hereto as Exhibit A.

**IT IS HEREBY STIPULATED**, by and between the Parties, by and through their respective counsel, that:

1. Plaintiffs should be granted leave to amend to file their Second Amended Complaint, a copy of which is attached hereto as Exhibit A.
2. Defendants' responsive pleading shall be due thirty (30) days after the Second Amended Complaint is filed.

Dated: August 22, 2022

Respectfully submitted,  
**DL LAW GROUP**

By: s/ David M. Lilienstein  
David M. Lilienstein  
Katie J. Spielman

**Megan E. Glor, Attorneys at Law, PC**

Dated: August 22, 2022

s/ Megan E. Glor  
Megan E. Glor, OSB No. 930178  
Megan E. Glor, Attorneys at Law  
Telephone: (503) 223-7400

Attorneys for Plaintiffs, Chris W. and Jennifer

Dated: August 22, 2022

**PRIDGEN BASSETT LAW**

By: s/ Nancy B. Pridgen

Nancy B. Pridgen

Attorneys for Defendants, Anthem Blue Cross of California  
dba Anthem Blue Cross, and Intel Corp. Health Plan

Pursuant to Stipulation, **IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Marco A. Hernandez